

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

SEP 24 2012

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal Case No. 3:95cr00017
)	
v.)	<u>2255 FINAL ORDER</u>
)	
DERRICK A. JOHNSON)	By: Samuel G. Wilson
)	United States District Judge

In accordance with the court's memorandum opinion entered on this day, it is hereby **ADJUDGED** and **ORDERED** that Johnson's motion pursuant to 28 U.S.C. § 2255 (ECF No. 221) shall be **DISMISSED** without prejudice as successive, and the case is hereby **STRICKEN** from the court's active docket.

Further, finding that Johnson has failed to make the requisite substantial showing of the denial of a constitutional right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

ENTER: September 24, 2012.


UNITED STATES DISTRICT JUDGE